

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

**SAM BURNETT,**

**Plaintiff,**

**v.**

**ANDREW M. SAUL,  
Commissioner of Social Security**

**Defendant.**

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) **No. 2:19-cv-00082**  
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**ORDER**


Before the Court is the Magistrate Judge’s Report and Recommendation (“R&R”) (Doc. No. 23) recommending that the Court grant Plaintiff’s motion for judgment on the administrative record (Doc. No. 19), vacate the Social Security Administration’s (“Commissioner”) final decision denying benefits, and remand this case for further administrative proceedings. The Commissioner has not filed timely objections to the R&R despite the R&R’s specific warnings regarding waiver. (See Doc. No. 23 at 20–21).

Having thoroughly reviewed the R&R, the Court agrees with the Magistrate Judge’s analysis. Specifically, the Court agrees that the ALJ violated the treating physician rule by not providing good reasons supported by substantial record evidence for discounting Dr. Stacey Carlton’s opinions regarding Plaintiff’s workplace limitations based on his mental health problems. The ALJ’s failure to do so was not harmless, and this case should be remanded so the ALJ can properly analyze Dr. Carlton’s mental health opinions.

Accordingly, the R&R (Doc. No. 23) is **APPROVED AND ADOPTED**; Plaintiff’s Motion for Judgment on the Record (Doc. No. 19) is **GRANTED**; and pursuant to sentence four

of 42 U.S.C. § 405(g), the final decision of the of the Commissioner is **VACATED** and **REMANDED** for further administrative proceedings consistent with this Order and the R&R.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE